

REMARKS

The office action of February 18, 2004, has been carefully considered.

Claims 1, 3 and 5 are rejected under 35 U.S.C. 103(a) over the patent to Boss.

Finally, it is noted that claims 6-8 would be allowable if rewritten in independent form.

Applicant has enclosed herewith a replacement sheet of drawings that contains Figs. 2 and 3. Fig. 3 has been amended to add the reference numeral 15 to indicate the through hole.

In view of the Examiner's rejection of the claims applicant has amended claims 1 and 3. Claim 1 has only been amended to rearrange the wording so that the claim features are more readily apparent. No new issues have been raised.

It is respectfully submitted that the claims currently on file differ essentially and in an unobvious, highly advantageous

manner from the constructions disclosed in the reference.

Turning now to the reference, it can be seen that the patent to Boss discloses a rotary signature gathering apparatus with a sheet stop. A driven disc 22 is provided for removing the printed product 6 from the receiver pockets 4. The disc 22 has at its outer periphery a clamping device 25. The disc 22 reaches in, as seen in Fig. 2 of Boss, from outside the pocket 4 via the clamping device 25 and grasps the end region of the printed product 6 and pulls the printed product with a simultaneous opening through a clock-wise rotation out of the pocket 4. The element 34 is a freely rotatable idler roller that only presses the printed product 6 onto the outer circumference of the disc 22 without imparting any forward movement force to the printed product 6.

In the presently claimed invention, on the other hand, the conveying means has rollers that frictionally transport the printed product. The rollers act via the through openings on the printed material. Boss does not disclose conveying means having rollers that drive the printed product as in the presently claimed invention.

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In view of these considerations it is respectfully submitted that the rejection of claims 1, 3 and 5 under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, New York 10017
(212) 986-3114

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on August 18, 2004.

By: 
Friedrich Kueffner

Date: August 18, 2004